

Officer History

Officer Name: SOLIS, LUKASZ
Tax ID: 943832 **Sex:** M
Shield: 14287 **Race:** White
Rank: PO **Command:** 101
Birth Year: [REDACTED] **Appt Date:** 01/10/2007
Age: [REDACTED] **Tenure:** 15

CCRB #	CMD	Incident Date	Reported Date	Allegation	Allegation Disposition	Board Discipline Recommendation*	NYPD Allegation Disposition	NYPD MOS Penalty
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
201400929	101	01/24/2014	01/30/2014	OMN - Failure to prepare a memo book entry	OMN			
201405893	101	05/02/2014	06/16/2014	OMN - Failure to prepare a memo book entry	OMN		Command Level Instructions	Command Level Instructions
201710526	101	12/19/2017	12/21/2017	Abuse - Refusal to provide name/shield number	Substantiated (Command Discipline B)		Instructions	Instruction
201807540	101	08/29/2018	09/13/2018	Abuse - Refusal to provide name	Unsubstantiated			
				Abuse - Refusal to provide shield number	Unsubstantiated			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
201901290	101	01/30/2019	02/12/2019	OMN - Failure to prepare a memo book entry	OMN			
201910975	101	12/26/2019	12/27/2019	Abuse - Vehicle search	Substantiated (Command Discipline A)	Substantiated (Command Discipline A)	No Disciplinary Action-SOL	No penalty

Total Charges = 12 Total Cases = 10

*Board Discipline Recommendations were not issued for complaints closed prior to the CCRB's adoption of the NYPD's Disciplinary Matrix on 03/15/2021. With the adoption of the NYPD Disiciplinary Matrix, CCRB now issues a Board Discipline Recommendation for officers that is seperate and apart from the disposition of the allegations substantiated against the officer.

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Daniel Casados	Team: Team # 5	CCRB Case #: 201400929	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday 01/24/2014 2:11 PM	18 Mo. SOL 07-24-2015	EO SOL 07-24-2015	Location of Incident:		Precinct: 101
Date/Time CV Reported Fri, 01/24/2014 9:09 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 01/30/2014 12:44 PM		
Complainant/Victim		Type	Home Address		
1. [REDACTED]	Comp/Victim	[REDACTED]	Far Rockaway NY [REDACTED]		
2. [REDACTED]	Victim	[REDACTED]	Far Rockaway NY [REDACTED]		
3. [REDACTED]	Victim	[REDACTED]	Far Rockaway NY [REDACTED]		
Subject Officer(s)		Shield	TaxID	Command	
1. POM [REDACTED]	[REDACTED]	[REDACTED]	101 PCT		
2. SGT [REDACTED]	[REDACTED]	[REDACTED]	101 PCT		
3. POM Lukasz Solis	14287	943832	101 PCT		
Witness Officer(s)		Shield No	Tax No	Cmd Name	
1. POM [REDACTED]	[REDACTED]	[REDACTED]	101 PCT		
2. SGT [REDACTED]	[REDACTED]	[REDACTED]	101 PCT		
3. LT [REDACTED]	[REDACTED]	[REDACTED]	101 PCT		
Officer(s)		Allegation			Investigator Recommendation
A . SGT [REDACTED]	Abuse of Authority: Sgt. [REDACTED] entered and searched [REDACTED] Beach 14 Street, Apt. C404, in Queens.			A . Exonerated	
B . SGT [REDACTED]	Abuse of Authority: At [REDACTED] Beach 14 Street, Apt. C404, in Queens, Sgt. [REDACTED] threatened to arrest [REDACTED] and [REDACTED]			B . Exonerated	
C . POM [REDACTED]	Abuse of Authority: At [REDACTED] Beach 14 Street, Apt. C404, in Queens, PO [REDACTED] threatened to arrest [REDACTED]			C . Exonerated	
D . POM [REDACTED]	Abuse of Authority: At [REDACTED] Beach 14 Street, Apt. C404, in Queens, PO [REDACTED] refused to provide his name and/or shield number to [REDACTED]			D . Unfounded	
E . POM [REDACTED]	Discourtesy: At the 101st Precinct stationhouse, PO [REDACTED] spoke rudely to [REDACTED]			E . Unsubstantiated	
F . POM [REDACTED]	Abuse of Authority: At the 101st Precinct stationhouse, PO [REDACTED] threatened to arrest [REDACTED]			F . Unsubstantiated	
G . POM Lukasz Solis	Other Misconduct Noted: PO Lukasz Solis failed to prepare a memo book entry as required.			G . Other Misconduct	

Case Summary

On Jan. 24, 2014, [REDACTED] called 911 and Det. Treska Daughtry-Morales with IAB called her back, generating this complaint (encl. 4). The CCRB received it on Jan. 30, 2014 (encl. 6).

On Jan. 24, 2014, at about 2:11 p.m., a man identified as [REDACTED] called 911 to report that a teenager, identified as [REDACTED], had menaced him with a gun. Officers from the 101st Precinct arrested Mr. [REDACTED] at [REDACTED] in Queens, and later Mr. [REDACTED]'s mother, [REDACTED] went to the stationhouse to inquire about her son. The following allegations resulted:

- **Allegation A – Abuse of Authority: Sgt. [REDACTED] entered and searched [REDACTED] in Queens.** Because the investigation determined that [REDACTED] provided voluntary consent for officers to enter and search her home, it is recommended that **Allegation A be exonerated.**
- **Allegation B – Abuse of Authority: At [REDACTED] in Queens, Sgt. [REDACTED] threatened to arrest [REDACTED] and [REDACTED]**
- **Allegation C – Abuse of Authority: At [REDACTED] in Queens, PO [REDACTED] threatened to arrest [REDACTED]** Because the investigation determined that [REDACTED] unlawfully possessed imitation guns, Sgt. [REDACTED] and PO [REDACTED] would have been justified in arresting the home occupants. Therefore it is recommended that **Allegations B and C be exonerated.**
- **Allegation D – Abuse of Authority: At [REDACTED] in Queens, PO [REDACTED] refused to provide his name and/or shield number to [REDACTED]** Because the preponderance of the evidence indicated that PO [REDACTED] accurately identified himself inside the home when he was asked for his name, the investigation determined that PO [REDACTED] did not refuse to provide his name. Therefore, it is recommended that **Allegation D be unfounded.**
- **Allegation E – Discourtesy: At the 101st Precinct stationhouse, PO [REDACTED] spoke rudely to [REDACTED]**
- **Allegation F – Abuse of Authority: At the 101st Precinct stationhouse, PO [REDACTED] threatened to arrest [REDACTED]** Because the investigation could not establish whether [REDACTED] spoke to PO [REDACTED] inside the stationhouse, the investigation could not determine if PO [REDACTED] cursed at her and threatened to arrest her. Therefore it is recommended that **Allegations E and F be unsubstantiated.**
- **Allegation G – Other Misconduct: PO Lukasz Solis failed to prepare a memo book entry as required.** Because PO Solis made no entries in his memo book, the tasks he claimed to have performed could not be verified contemporaneously, as was required under Patrol Guide Section 212-08. Therefore, it is recommended that PO Solis be cited for **other misconduct for Allegation G.**

This case was not mediation eligible because Mr. Hunter was arrested.

Results of Investigation

Civilian Statements

Complainant/Victim: [REDACTED]

- [REDACTED] a black woman, 5 foot 5 and ¾" tall, 200 pounds, with brown eyes, and brown and gray hair, was 67 years old at the time of the incident. Ms. [REDACTED] was unemployed and receiving Social Security Disability.

IAB and CCRB Statements

Det. Treska Daughtry-Morales with IAB called [REDACTED] three times on Jan. 24, 2014. The calls were recorded (encl. 5. The recordings are attached to IAs 50, 51, and 52). Det. Daughtry-Morales summarized the statement and entered it into an IAB log (encl. 4).

[REDACTED] provided a phone statement to the CCRB on Jan. 31, 2014 (encl. 7). She was interviewed at the CCRB on March 4, 2014 (encl. 8). The following is her CCRB interview statement, which was the most detailed statement she provided, and any inconsistencies from her other statements are noted.

On Jan. 24, 2014, at about 2:15 p.m., [REDACTED] was inside her apartment at [REDACTED] in Queens. Her apartment number is [REDACTED] and is on the fourth floor. It is a one-room studio apartment. [REDACTED] 18-year-old granddaughter, [REDACTED] lives with her. Ms. [REDACTED] was at home asleep.

[REDACTED] daughter, [REDACTED] called her and told her that [REDACTED] was headed to her apartment to borrow some money and was then headed to see his parole officer. Mr. [REDACTED], a black male, who was 15 years old at the time, is [REDACTED] son and [REDACTED] grandson.

About five minutes later, Mr. [REDACTED] arrived at [REDACTED] apartment. He was not carrying anything and did not mention anything about being in possession of a gun. He was wearing a gray and blue winter coat, beige pants, and a black mask for the cold that covered his nose and mouth.

[REDACTED] gave him five dollars. He asked her for something to eat. She told him she would take him to get a sandwich and then he could head off to see his parole officer. Mr. [REDACTED] was at [REDACTED] apartment for about five minutes before the two of them left.

They exited the apartment, walked down a hallway, and entered Stairwell A, which is separated from the hallway by a door. Right after entering the stairwell, about four plainclothes officers and two uniformed officers came up the stairs and approached them. In her IAB statement, [REDACTED] said there were up to eight officers. A plainclothes officer separated [REDACTED] from Mr. [REDACTED], and a uniformed officer stood with Mr. [REDACTED].

[REDACTED] further described the officer in plainclothes as a white man who looked Italian, about 5 foot 7, in his 40s, 190 pounds, "stout," wearing a black leather jacket. (This officer was identified via investigation as Sgt. [REDACTED].) [REDACTED] described the uniformed officer who stood with Mr. [REDACTED] as a white man, about 5 foot 6, in his late 20s, 150 to 165 pounds, with spiky blondish-brown hair. (This officer was not identified by the investigation.)

Sgt. [REDACTED] reached over to Mr. [REDACTED] and pulled off his face mask. One of the officers, [REDACTED] did not know which one, handcuffed Mr. [REDACTED]. She asked what was going on, and Sgt. [REDACTED] told her that Mr. [REDACTED] had robbed someone with a gun. [REDACTED] responded that was impossible. Sgt. [REDACTED] told her to shut up and get the hell against the wall. Sgt. [REDACTED] then searched Mr. [REDACTED]. No officer frisked, searched, or handcuffed [REDACTED].

Sgt. [REDACTED] asked [REDACTED] who was in her house. [REDACTED] responded that her granddaughter was. Sgt. [REDACTED] exited the stairwell and moved toward her apartment. [REDACTED] told him not to go in there because her granddaughter was not fully dressed.

[REDACTED] opened the stairwell door and tried to follow Sgt. [REDACTED] but the uniformed officer with spiky hair closed the door and nearly shut it on her hand. In her IAB statement, [REDACTED] alleged that the officer did hit her hand with the door. At the CCRB she was asked about the different statements, and she maintained that the door did not hit her hand.

[REDACTED] opened the stairwell door and walked toward her apartment. The uniformed officer with spiky hair followed her. The other officers stayed in the stairwell with Mr. [REDACTED].

Sgt. [REDACTED] knocked on the apartment door. Ms. [REDACTED] opened the door. She had a sheet wrapped around her body. [REDACTED] reached the doorway at about this point. She told Ms. [REDACTED] to put on some more clothes. Ms. [REDACTED] left the doorway and wrapped a second sheet around her body. Sgt. [REDACTED] and the uniformed officer with spiky hair stood at the doorway with [REDACTED] and a plainclothes officer arrived there seconds later. [REDACTED] later learned this plainclothes officer's name: PO [REDACTED].

Sgt. [REDACTED] asked [REDACTED] if she had any guns inside her apartment. [REDACTED] said she had two BB guns. PO [REDACTED] told [REDACTED] "Show me." Without hesitation, she led PO [REDACTED] to

her closet, where she stores the BB guns. The uniformed officer with spiky hair followed behind them and entered the apartment. Sgt. [REDACTED] remained by the doorway and did not enter.

[REDACTED] specified that she allowed the officers to enter her home. She did so because she thought she could prove to the officers that the BB guns had never been removed from the closet. She did not have a license for the guns.

Once inside the home, Ms. [REDACTED] told [REDACTED] not to let the officers inside because the officers did not have a search warrant. Sgt. [REDACTED] from the doorway, told Ms. [REDACTED] that if the officers had to get a search warrant and return, then they would arrest everyone in the home.

At the closet, [REDACTED] pointed to a plastic bag on the top shelf. PO [REDACTED] grabbed the bag and pulled out the two BB guns, which are black and look real. Also in the bag were some of [REDACTED] medical records. PO [REDACTED] looked at the guns and said these are them. [REDACTED] expressed to PO [REDACTED] that the BB guns could not have been the guns they were looking for [REDACTED] there had not been a time when Mr. [REDACTED] could have accessed them.

PO [REDACTED] looked at the guns and told [REDACTED] that she could be arrested for having them [REDACTED] they did not have orange rings around the fronts of the barrels. [REDACTED] told PO [REDACTED] she needed a receipt for the guns. PO [REDACTED] told her she needed to go the stationhouse for a receipt. PO [REDACTED] walked over to Sgt. [REDACTED] and handed him the guns, and Sgt. [REDACTED] handed them to an unidentified uniformed officer who walked away with them.

The uniformed officer with spiky hair, meanwhile, grabbed the plastic bag where the guns were, took out the medical records, and tossed them onto [REDACTED] dresser.

[REDACTED] called her daughter. While she was on the phone with her, [REDACTED] asked PO [REDACTED] and Sgt. [REDACTED] for their names. Sgt. [REDACTED] told [REDACTED] his name but she forgot what it was. PO [REDACTED] mumbled a name that [REDACTED] could not spell but said sounded like "Selly." In her IAB statement, [REDACTED] alleged that PO [REDACTED] mumbled that his name was something that sounded like "Hollis" or "a woman's name."

After PO [REDACTED] mumbled, she told him she could not understand what he had said and she asked him to repeat his name to her daughter over the phone. PO [REDACTED] said he was not going to speak with anyone on the phone, and he did not repeat his name. The officers left.

In her CCRB phone statement, at the point where the officers entered her home, [REDACTED] switched the roles of Sgt. [REDACTED] and the uniformed officer with spiky hair. Thus she stated that the officer whom she described as Sgt. [REDACTED] was the one to have entered her home and tossed the medical records, and she said that the officer with spiky hair was the one who remained at the doorway and did not enter. Furthermore, in her phone statement, she did not allege that the officer who was at the doorway made a threat of arrest. In her IAB statement, [REDACTED] said "officers" entered her home, that one of them recovered the guns, that one of them threatened to arrest her because the guns had no orange rings, and that one of them threatened to arrest Ms. [REDACTED] [REDACTED] did not provide follow-up details about which officer took which action.

A short while after the officers left, [REDACTED] went to the 101st Precinct stationhouse by herself. Her intent was to obtain property receipts for her BB guns.

As [REDACTED] approached the front stairs to the stationhouse, her daughter was walking out. They spoke at the bottom of the stairs. [REDACTED] told [REDACTED] that she had gone inside and asked to speak to the officer who had arrested her son. An officer had come forward, said he was the arresting officer, and told [REDACTED] to get the hell out of the stationhouse. [REDACTED] assumed that the officer to whom [REDACTED] had spoken was PO [REDACTED]

In her IAB statement, [REDACTED] alleged that [REDACTED] told her in front of the stationhouse that PO [REDACTED] had told her to get the "fuck" out. At the CCRB, [REDACTED] was asked about this and she maintained that [REDACTED] had said "hell," not "fuck."

[REDACTED] went into the stationhouse alone. She spoke with two uniformed male officers sitting behind the front desk. She told them she wanted to file a complaint against Mr. [REDACTED]'s

arresting officer. One of the uniformed officers, an Asian man, provided [REDACTED] with the CCRB's phone number. She left the stationhouse.

On Jan. 25, 2014, [REDACTED] and [REDACTED] went to Mr. [REDACTED]'s court hearing in Manhattan Criminal Court. PO [REDACTED] was the only officer from the incident who was there. He took the stand and stated his name was "[REDACTED]" PO [REDACTED] stated Mr. [REDACTED] had pointed a gun at a 65-year-old man and was then observed entering [REDACTED] building. [REDACTED] learned that Mr. [REDACTED] was taken to a juvenile detention center in Brooklyn.

Victim: [REDACTED]

- Ms. [REDACTED] is a black woman and was 18 years old at the time of the incident.

CCRB Statement

Ms. [REDACTED] provided a phone statement on May 20, 2014 (encl. 9). She was uncooperative with being interviewed at the CCRB. She missed a scheduled interview on May 27, 2014, and then did not respond to two subsequent letters and four phone calls.

On Jan. 24, 2014, at about 2:30 p.m., Ms. [REDACTED] was at home sleeping. She lives with her grandmother, [REDACTED]. Ms. [REDACTED] was awoken when she heard knocking at the door. She answered the door and a chubby, Italian-looking officer, who was about 40 years old, was standing there. He was wearing plainclothes. (This officer was identified via investigation as Sgt. [REDACTED]) [REDACTED] then arrived at the doorway and told Ms. [REDACTED] to put on more clothes.

Ms. [REDACTED] walked away from the doorway and put more clothing on. When she paid attention again, [REDACTED] was inside the apartment along with five other officers. Consequently, Ms. [REDACTED] did not know whether [REDACTED] had given the officers permission to enter. Ms. [REDACTED] said that two of the officers who entered were dressed in uniform and the rest were in plainclothes. Ms. [REDACTED] could only describe Sgt. [REDACTED] and one other: a short, light-skinned man of an unknown race, in his 30s, about 5 foot 8, wearing a uniform. She could not recall anything else about the other officers, including their races.

[REDACTED] led the light-skinned uniformed officer to her closet. He reached inside the closet and pulled out two BB guns. [REDACTED] told him that those were the only guns she had in her home and that Mr. [REDACTED] could not have held one because he had not known they were there. The officer looked at the guns and told [REDACTED] that she could be arrested because the guns did not have orange rings on them. (This officer was identified via investigation as PO [REDACTED]) Only PO [REDACTED] searched inside the home.

Ms. [REDACTED] told all the officers that they needed a search warrant. Sgt. [REDACTED] told Ms. [REDACTED] something to the effect that if the officers returned with a search warrant, then they would arrest her and [REDACTED]

Ms. [REDACTED] called her aunt, [REDACTED] and then handed the phone to PO [REDACTED]. Ms. [REDACTED] recalled PO [REDACTED] telling [REDACTED] that her son was under arrest for robbing someone. PO [REDACTED] ended the call. Ms. [REDACTED] could not recall hearing PO [REDACTED] state his name while on the phone. [REDACTED] then asked PO [REDACTED] for his name. PO [REDACTED] told [REDACTED] his name. Ms. [REDACTED] could not recall at all what PO [REDACTED] had said his name was. The officers left.

[REDACTED] and Ms. [REDACTED] went to the 101st Precinct stationhouse. In front of the stationhouse, Ms. [REDACTED] and [REDACTED] ran into [REDACTED]. She had just walked out. [REDACTED] told them that the officers had kicked her out. Ms. [REDACTED] could not recall if [REDACTED] further described what she had been told inside. Ms. [REDACTED] and [REDACTED] entered the stationhouse, without [REDACTED]. [REDACTED] told the officers that she wanted IAB's phone number to file a complaint. The officers provided [REDACTED] with IAB's phone number.

Victim: [REDACTED] [REDACTED]

- Ms. [REDACTED] a black and Native American woman, [REDACTED], with brown hair and brown eyes, was [REDACTED] years old at the time of the incident. She was employed as a [REDACTED] with the [REDACTED]

CCRB Statement

[REDACTED] [REDACTED] provided a phone statement to the CCRB on March 6, 2014 (encl. 10). She refused to be interviewed in person because she said it would conflict with her work schedule. She was interviewed over the phone on March 12, 2014, and subsequently mailed in a notarized verification form (encl. 11). The following is her interview statement with any differences from her first phone statement noted.

On Jan. 24, 2014, at about 2:30 p.m., [REDACTED] [REDACTED] called [REDACTED] [REDACTED] and told her that Mr. [REDACTED] was currently being arrested on the fourth floor of [REDACTED] [REDACTED]. [REDACTED] [REDACTED] provided more information but it was incomprehensible because she was hysterical.

[REDACTED] [REDACTED] asked her mother to put one of the officers on the phone, and she did. The officer, without being asked for his name, introduced himself as either "Det. Schwartz" or "Det. Snider." She asked him what was going on. He told her that if she wanted to find out she needed to go to the 101st Precinct stationhouse. She ended the call.

A few minutes later, an acquaintance of [REDACTED] [REDACTED] named [REDACTED] called her. [REDACTED] [REDACTED] refused to provide [REDACTED]'s last name or contact information. [REDACTED] works in [REDACTED] [REDACTED] building, as [REDACTED] [REDACTED] building is intended for older residents and [REDACTED] provides [REDACTED] assistance to tenants. [REDACTED] told [REDACTED] [REDACTED] that she had overheard, but did not witness, some of Mr. [REDACTED]'s arrest and that it sounded like Mr. [REDACTED] was pushed down the stairs. [REDACTED] [REDACTED] then grew concerned that her son was injured.

When [REDACTED] [REDACTED] got off work, she went to the stationhouse by herself. By the time she arrived there, at about 4:30 p.m., she was upset. Her intent was to find out if her son was all right.

[REDACTED] [REDACTED] entered the stationhouse and spoke with a white male officer in his 30s wearing a blue uniform who was seated behind the front desk. [REDACTED] [REDACTED] told the officer that her son was arrested and she wanted to know why. PO [REDACTED] – whose name she later learned – happened to be standing behind the front desk. PO [REDACTED] walked around the front desk and again introduced himself as either Det. Schwartz or Det. Snider. In her first phone statement, [REDACTED] [REDACTED] said that PO [REDACTED] introduced himself at the stationhouse as either "Det. Schroger" or "Det. Schwartz."

PO [REDACTED] told [REDACTED] [REDACTED] that he was her son's arresting officer and that the two of them could talk in the vestibule. The two of them walked into the vestibule, where they were alone.

[REDACTED] [REDACTED] described PO [REDACTED] as a white man, about 6 foot 3, muscular, 35 or 36 years old, blue eyes, sandy blond hair, wearing a blue or black shirt and blue jeans.

In the vestibule, [REDACTED] [REDACTED] asked PO [REDACTED] why her son was arrested. He told her that Mr. [REDACTED] had menaced someone with a gun. [REDACTED] [REDACTED] was agitated. She asked PO [REDACTED] at least three times if she could see her son. PO [REDACTED] at first, told her to calm down and that her son was all right, but after she kept asking to see him, PO [REDACTED] told her, "You're gonna have to get the fuck outta here or we're gonna arrest you for discon."

A 70-year-old white male officer wearing a white uniform shirt entered the vestibule. He told [REDACTED] [REDACTED] that he was PO [REDACTED] commanding officer, and he said his name and rank. [REDACTED] [REDACTED] recalled that the officer said he was a lieutenant but she could not recall what he said his name was. (This officer was not identified by the investigation.) [REDACTED] [REDACTED] asked the officer in the white uniform shirt if she could see her son, and he told her that her son was not injured and that she could not see him yet.

In her first phone statement, [REDACTED] [REDACTED] alleged that PO [REDACTED] cursed at her and threatened to arrest her in front of the officer in the white uniform shirt. She alleged PO [REDACTED] said, "Get the

fuck out before I arrest you for disturbing the precinct."

[REDACTED] walked out of the stationhouse and as she was walking away from the building she encountered her mother. [REDACTED] told [REDACTED] what had happened inside and [REDACTED] said she was going to go inside and get IAB's phone number. [REDACTED] went inside alone.

On Jan. 25, 2014, [REDACTED] went to her son's court hearing. There, PO [REDACTED] took the stand and said his name was "Detective [REDACTED]. Based on that, [REDACTED] thought that PO [REDACTED] had previously given her a false name.

NYPD Statements:

Subject Officer: PO [REDACTED]

- *PO [REDACTED] a white man, 6 foot 2, 220 pounds, with blonde hair and blue eyes, was 28 years old at the time of the incident.*
- *On Jan. 24, 2014, PO [REDACTED] was scheduled to work from 9:30 a.m. to 6:05 p.m. but he worked overtime until 9:45 p.m. He was assigned to anti-crime in the 101st Precinct. He was dressed in plainclothes, and he partnered with PO [REDACTED] in an unmarked gray Ford Taurus, vehicle number 151.*

Memo Book

At 2:12 p.m., he received an assignment for a male with a firearm at [REDACTED], Apt. [REDACTED]. At 2:14 p.m., he arrived there. The complainant stated that the perpetrator had fled. At 2:15 p.m., he conducted an area canvass. At 2:26 p.m., the complainant called 911 again and reported that the perpetrator fled inside of [REDACTED]. At 2:28 p.m., PO [REDACTED] conducted a vertical there. At 2:30 p.m., he stopped one male in the fourth floor stairwell. At 2:38 p.m., the complainant made a positive identification of the stopped male, [REDACTED], who was then placed under arrest. At 2:40 p.m., PO [REDACTED] transported Mr. [REDACTED] to his command. At 2:50 p.m., he began [REDACTED] the arrest. At 7:35 p.m., he transported Mr. [REDACTED] to Horizons juvenile center. At 9:45 p.m., his tour ended (encl. 12).

On-Line Booking Sheet (OLBS), Complaint Report, and Property Vouchers

According to the OLBS, on Jan. 24, 2014, at about 2 p.m., in the vicinity of [REDACTED] [REDACTED] Mr. [REDACTED] knocked on Mr. [REDACTED]'s door. When Mr. [REDACTED] opened the door, Mr. [REDACTED] pointed a black firearm at him and placed him in fear of his life. The crime was reported at 2:10 p.m. PO [REDACTED] arrested Mr. [REDACTED] at about 2:26 p.m. PO [REDACTED] charged Mr. [REDACTED] with criminal possession of a weapon in the third degree and menacing in the second degree. PO [REDACTED] indicated that Mr. [REDACTED] was wearing a black ski mask, black sneakers, and a gray and black jacket (encl. 13). The complaint report is consistent with the OLBS (encl. 14).

PO [REDACTED] produced three arrest evidence vouchers, which indicated that Mr. [REDACTED] was the owner of a black ski mask, a black CO2 pistol that did not have an active license, and a black Daisy air rifle that did not have an active license (encl. 15).

CCRB Statement

PO [REDACTED] was interviewed at the CCRB on May 14, 2014 (encl. 16).

On Sept. 12, 2013, at about 2:12 p.m., PO [REDACTED] was on patrol with PO [REDACTED] when the dispatcher told them to respond to [REDACTED]. The dispatcher stated that a man had called 911 and reported that he had been menaced by a black man with a firearm outside his apartment. The dispatcher provided the suspect's clothing description and said he was about 18 years old. PO [REDACTED] could no longer recall the clothing description.

In front of [REDACTED], PO [REDACTED] met up with three or four more officers, who were in plainclothes and uniform. He could not recall who these officers were, including if any of them

were the patrol supervisor, sector patrol officers, or officers assigned to anti-crime.

The officers went up to apartment [REDACTED] and spoke with the victim, [REDACTED], a Hispanic man in his 50s. Mr. [REDACTED] stated that he had heard a bang at his door and that when he opened it the suspect pointed a gun at him. Mr. [REDACTED] said he had shut the door right away. Mr. [REDACTED] said he did not know the suspect's name but that he had seen him in his building before.

The officers conducted a canvass around [REDACTED]. While they were doing this, Mr. [REDACTED] called 911 again and reported that he had just seen the perpetrator go inside of [REDACTED]. PO [REDACTED] did not know what Mr. [REDACTED]'s line of sight was at the time.

The officers headed to [REDACTED], which to PO [REDACTED] memory was the building next to [REDACTED]. At about this point, they met up with the anti-crime supervisor, Sgt. [REDACTED].

[REDACTED] The officers conducted a vertical at [REDACTED]. PO [REDACTED] could not recall which, or how many, officers conducted the vertical with him and Sgt. [REDACTED].

The officers went up the stairwell. In the fourth floor stairwell, they encountered Mr. [REDACTED], who fit the description of the suspect. PO [REDACTED] could not recall if Mr. [REDACTED] was with anyone else. He stated that to his memory [REDACTED] did not arrive until moments later, and he could not recall if she ever entered the stairwell.

PO [REDACTED] walked up to Mr. [REDACTED], told him he was a police officer and handcuffed him.

At about this point, the whole group moved into the hallway. PO [REDACTED] asked Mr. [REDACTED] where he had come from. Mr. [REDACTED] provided [REDACTED] apartment number. [REDACTED] arrived in the hallway and ran over to the officers. She was yelling and screaming. PO [REDACTED] told her that Mr. [REDACTED] had menaced someone with a gun. He asked [REDACTED] where Mr. [REDACTED] had come from. She said that he had just come from her apartment. Then, [REDACTED] without being asked, told PO [REDACTED] that she had two BB guns inside her apartment and that he could enter her apartment and look at them.

[REDACTED] walked with PO [REDACTED] to her apartment and led him inside. PO [REDACTED] stated that his reasons for entering the apartment were that [REDACTED] had indicated that the gun used in the crime was in her apartment and that she had provided him with consent to enter. PO [REDACTED] could not recall if any other officers entered the apartment with him.

Inside the apartment, [REDACTED] walked PO [REDACTED] to her closet and pointed in the closet to a plastic bag. PO [REDACTED] grabbed the guns from out of the plastic bag and left the apartment right after. He denied searching anywhere else inside the apartment.

PO [REDACTED] could not recall if there was anyone else inside the apartment, particularly Ms. [REDACTED]. He could not recall if Ms. [REDACTED] ever told an officer that he could not enter without a search warrant. PO [REDACTED] denied hearing an officer say that if the officers had to return with a search warrant they would then arrest everyone inside the home. PO [REDACTED] denied that after he grabbed the guns he told [REDACTED] that she could be arrested because the guns did not have orange rings on them. While inside the apartment, PO [REDACTED] could not recall if [REDACTED] or anyone else asked him for his name. He denied, however, providing anyone with a fake name. He could not recall talking to [REDACTED] on the phone while he was at the apartment. PO [REDACTED] stated that he always provides his real name when asked.

PO [REDACTED] took Mr. [REDACTED] outside the building. From a hidden angle, Mr. [REDACTED] identified Mr. [REDACTED] as the person who had menaced him with the gun. PO [REDACTED] then showed Mr. [REDACTED] the two BB guns and Mr. [REDACTED] identified one of the guns as the one that was pointed at him.

PO [REDACTED] took Mr. [REDACTED] to the 101st Precinct stationhouse. A while later, [REDACTED] entered the stationhouse. She indicated that [REDACTED] was in front of the stationhouse. PO [REDACTED] did not notice [REDACTED] at this point. [REDACTED] said she was there because she wanted property receipts for the BB guns. PO [REDACTED] told her they had not been produced yet and walked with her into the vestibule. From inside the vestibule, PO [REDACTED] observed a woman, whom he figured was [REDACTED] standing in front of the stationhouse yelling, screaming, and [REDACTED] PO [REDACTED] did

not know who [REDACTED] was talking to. PO [REDACTED] stated that he never spoke with [REDACTED] at the stationhouse and he never observed her enter the stationhouse.

PO [REDACTED] denied that [REDACTED] entered the stationhouse and demanded to see her son. PO [REDACTED] denied that he spoke with [REDACTED]. He denied that he cursed at her, that he threatened to arrest her, or that he provided her with a fake name.

Subject Officer: SERGEANT [REDACTED]

- *Sgt. [REDACTED] a white man, 5 foot 11, 240 pounds, with brown hair that is graying, and brown eyes, was 34 years old at the time of the incident.*
- *On Jan. 24, 2014, Sgt. [REDACTED] worked from 9:26 a.m. to 6:10 p.m. He was assigned as the anti-crime supervisor in the 101st Precinct. He was dressed in plainclothes. He did not have a partner or an assigned vehicle as he was working at the stationhouse prior to the incident.*

Memo Book

At 2:38 p.m., he assisted PO [REDACTED] with the arrest of [REDACTED] at [REDACTED]. At 2:50 p.m., he performed administrative duties (10-62A). At 2:55 p.m., he resumed patrol. At 4:30 p.m., he performed administrative duties. He resumed patrol again at 5:30 p.m. (encl. 17).

CCRB Statement

Sgt. [REDACTED] was interviewed at the CCRB on May 14, 2014 (encl. 18).

On Jan. 24, 2014, at about 2:30 p.m., Sgt. [REDACTED] was at the 101st Precinct stationhouse working on paperwork. He did not have an assigned partner or vehicle.

While there, a report came over the radio stating that a light-skinned black male teenager had menaced someone with a firearm at the back of [REDACTED]. A few minutes later, a second report came over the radio stating that the same complainant had again seen the suspect.

After the second report, Sgt. [REDACTED] got into an unidentified vehicle with an unidentified officer and drove to the incident location.

In front of [REDACTED], Sgt. [REDACTED] met up with PO [REDACTED]. There were other officers there but Sgt. [REDACTED] could not recall who any of them were. Sgt. [REDACTED] recalled, however, that there were uniformed and plainclothes officers there, and he recalled that Sgt. Traci Jamersonbarre, the patrol supervisor, ultimately arrived but not until the suspect was being taken off the scene.

PO [REDACTED] led Sgt. [REDACTED] upstairs to the victim's apartment. Upstairs, Mr. [REDACTED] told the officers that he had seen the suspect go inside of [REDACTED].

PO [REDACTED] and Sgt. [REDACTED] headed toward [REDACTED], and the other officers who were on the scene went with them. They headed up the stairwell. Inside the fourth floor stairwell, the officers observed [REDACTED] and Mr. [REDACTED], who fit the description of the suspect, coming down the stairs. The uniformed officers grabbed Mr. [REDACTED] and placed him in handcuffs.

Sgt. [REDACTED] could not recall what, if anything, had gone on with [REDACTED] in the stairwell.

PO [REDACTED] asked Mr. [REDACTED] where he had come from, and he said apartment [REDACTED], and [REDACTED] stated that she was the apartment owner. PO [REDACTED] asked [REDACTED] if she had any guns inside her apartment, and she responded yes but that they were BB guns. PO [REDACTED] asked [REDACTED] if he could enter her apartment and look at them. She told him yes. [REDACTED] walked PO [REDACTED] out of the stairwell and toward her apartment. Several of the officers followed behind them, including Sgt. [REDACTED].

[REDACTED] opened her apartment door and led PO [REDACTED] inside. Sgt. [REDACTED] stepped inside the apartment but no more than a few feet. Sgt. [REDACTED] said that only he and PO [REDACTED] entered the apartment, and only PO [REDACTED] walked around. The apartment was small and Sgt. [REDACTED] could see [REDACTED] and PO [REDACTED]. Sgt. [REDACTED] could not recall if anyone else was inside the apartment.

[REDACTED] led PO [REDACTED] to her closet. [REDACTED] pointed inside her closet and PO [REDACTED] reached in and pulled out two BB guns. PO [REDACTED] searched nowhere else inside the apartment.

The officers left the apartment. Sgt. [REDACTED] estimated that PO [REDACTED] was inside the apartment for 10 seconds. At an unrecalled exact point while inside the apartment, [REDACTED] asked Sgt. [REDACTED] for his name, and he provided it. Sgt. [REDACTED] never heard [REDACTED] ask PO [REDACTED] for his name, never heard PO [REDACTED] provide his name, and never heard PO [REDACTED] provide a fake name.

Sgt. [REDACTED] denied that uniformed officers entered the apartment, denied that an officer threatened to arrest the apartment occupants if officers had to return with a search warrant, and denied that PO [REDACTED] threatened to arrest [REDACTED] because the BB guns did not have orange rings. Sgt. [REDACTED] could not recall a time when PO [REDACTED] spoke to anyone on the phone.

In front of the building, Mr. [REDACTED] identified Mr. [REDACTED].

One of the officers – Sgt. [REDACTED] could not recall who – transported Mr. [REDACTED] back to the 101st Precinct stationhouse.

At some point while at the stationhouse, [REDACTED] called and Sgt. [REDACTED] spoke with her. He told her to come there [REDACTED] her son was a juvenile. He could not recall if she ever came to the stationhouse, but he thought she had not.

Sgt. [REDACTED] was shown Mr. [REDACTED]'s command log entry, which indicated that [REDACTED] entered the stationhouse. Sgt. [REDACTED] based on the handwriting, confirmed that he made the entry. However, seeing the command log did not refresh his memory of [REDACTED] entering the stationhouse. He stated that what could have happened was that she arrived there and another officer informed him of this, so he wrote her name into the command log.

Sgt. [REDACTED] denied [REDACTED] PO [REDACTED] speak with [REDACTED] at the stationhouse.

Witness Officer: PO [REDACTED]

- *PO [REDACTED] a white man, 5 foot 9, 190 pounds, with brown hair and [REDACTED] eyes, was 34 years old at the time of the incident. He had a beard at the time of the interview.*
- *On Jan. 24, 2014, PO [REDACTED] worked from 9:30 a.m. to 6 p.m. He was assigned to anti-crime in the 101st Precinct. He was dressed in plainclothes. He partnered with PO Lukasz Solis. They worked in an unmarked vehicle, number 1674, a silver Ford Fusion.*

Memo Book

At 2:10 p.m., he received notification of a “gun run” at [REDACTED]. At 2:28 p.m., one person was placed under arrest inside of [REDACTED] (encl. 19).

CCRB Statement

PO [REDACTED] was interviewed at the CCRB on May 23, 2014 (encl. 20). His statement was generally consistent with PO [REDACTED]. Thus only the differences he mentioned follow.

On Jan. 24, 2014, at about 2:10 p.m., PO [REDACTED] was on patrol with PO Solis. An assignment came over the radio indicating that a “male with a firearm” was seen inside of [REDACTED] and that the suspect had pointed the gun at someone inside the building’s lobby. PO [REDACTED] recalled that the dispatcher provided a description of the person with the gun, but PO [REDACTED] could no longer recall that description.

PO [REDACTED] and PO Solis drove to the incident location. There, he met up with about 10 officers. He could not recall who any of these officers were. He recalled that ultimately PO [REDACTED] and Sgt. [REDACTED] were on the scene, but he could not recall at what point they arrived. The officers canvassed the area for the perpetrator. PO [REDACTED] never spoke with the victim.

Then, the officers went to [REDACTED] an adjacent building. PO [REDACTED] could not recall what it was that had directed the officers to the second building.

PO [REDACTED] and the other officers went up the stairwell inside of [REDACTED]. At the

fourth floor, Mr. [REDACTED] and [REDACTED] entered the stairwell. Mr. [REDACTED] fit the description of the perpetrator "to a T." PO [REDACTED] assumed that he was the first one to stop Mr. [REDACTED]. He told him something to the effect that he needed to talk with him. He could not recall what physical contact he made with him. He did not make physical contact with [REDACTED] [REDACTED]

The stop was in a tight space inside the stairwell so PO [REDACTED] and other officers told Mr. [REDACTED] and [REDACTED] that they should talk in the hallway. The group entered the hallway.

In the hallway, [REDACTED] was asking what was going on. An unidentified officer spoke with her and went with her toward her apartment. PO [REDACTED] meanwhile, stayed with Mr. [REDACTED]. He frisked, searched, and handcuffed him incidental to the arrest. He also frisked him to make sure that he did not have the gun on his person, which he did not.

Some of the officers then entered [REDACTED] apartment, which was at the other end of the hallway, about 50 feet away. PO [REDACTED] did not know what had led the officers to [REDACTED] apartment. He did, however, hear [REDACTED] state, at an unrecalled point, that she and Mr. [REDACTED] had just left her apartment and that they had been on their way to get food.

PO [REDACTED] could not recall which officers, or how many officers, entered the apartment. He could not recall if it was a mix of plainclothes and uniformed officers. He did not hear [REDACTED] putting up hesitancy about officers entering her apartment.

PO [REDACTED] never moved toward the apartment while the other officers were in there. He did not know what happened in there. He was out of earshot and it was not in his line of sight. He could not recall for how long officers were in there.

After the officers exited the apartment and the victim identified Mr. [REDACTED], PO [REDACTED] and PO Solis returned to the 101st Precinct stationhouse.

At the stationhouse, PO [REDACTED] took the arrest. PO [REDACTED] asked PO [REDACTED] if he needed help. PO [REDACTED] said no, so PO [REDACTED] immediately resumed patrol. PO [REDACTED] denied that he observed any members of Mr. Hunter's family enter the stationhouse.

Subject Officer: PO LUKASZ SOLIS

- *PO Solis, a white man, 5 foot 11, 220 pounds, with blond hair and blue eyes, was 28 years old at the time of the incident.*
- *On Jan. 24, 2014, PO Solis worked from 9:30 a.m. until 6:05 p.m. He was assigned to anti-crime in the 101st Precinct. He was dressed in plainclothes. He worked in an unmarked, gray Ford Fusion, vehicle number 151. He partnered with PO [REDACTED]*

Memo Book

PO Solis made no entries in his memo book about this incident (encl. 21).

CCRB Statement

PO Solis was interviewed at the CCRB on June 3, 2014 (encl. 22).

On Jan. 24, 2014, at about 2:10 p.m., PO Solis and PO [REDACTED] responded to [REDACTED] because a dispatcher reported that someone had been menaced there. PO Solis could not recall anything else that was stated over the radio.

When PO Solis arrived, there were other officers there. He could not recall who any of them were. He recalled seeing PO [REDACTED] and Sgt. [REDACTED] on the scene eventually, but he thought he did not see them until he was leaving.

An unidentified officer directed him to the victim, Mr. [REDACTED], who was in the building's laundry room. PO Solis could not recall if Mr. [REDACTED] told him what had happened. PO Solis did not know where the other officers went. He assumed they canvassed the area for the suspect.

PO Solis maintained that while he was on the scene, he and PO [REDACTED] stayed with the victim. They did not go to [REDACTED], did not participate in the stop of Mr. [REDACTED], did not

enter [REDACTED] apartment, and did not witness whatever allegations may have taken place among officers and Mr. [REDACTED]'s family members at [REDACTED].

A while later Mr. [REDACTED] was stood outside in front of [REDACTED]. Mr. [REDACTED], from an angle where Mr. [REDACTED] could not see him, identified Mr. [REDACTED] as the suspect. PO Solis returned to the 101st Precinct stationhouse.

PO Solis, at the stationhouse, was directed to stay with Mr. [REDACTED], who was already upstairs in the juvenile room. PO Solis entered the juvenile room and stayed with Mr. [REDACTED] for one or two hours. PO Solis stated that the juvenile room is out of sight and earshot of the front desk. He did not know if Mr. [REDACTED]'s family ever entered the stationhouse.

Witness Officer: SERGEANT [REDACTED]

- Sgt. [REDACTED] a white man, 5 foot 9, 170 pounds, with brown hair and hazel eyes, was 31 years old at the time of the incident.
- On Jan. 24, 2014, Sgt. [REDACTED] worked from 2:50 p.m. until 11:47 p.m. He was assigned as the desk sergeant in the 101st Precinct stationhouse. He was dressed in uniform.

Memo Book and 101st Precinct Command Log

Sgt. [REDACTED] noted in his memo book that he was assigned as the desk sergeant throughout his tour (encl. 23). He made no entries in the command log about [REDACTED] or his family because he thought he never interacted with them (encl. 29F).

CCRB Statement

Sgt. [REDACTED] was interviewed at the CCRB on June 6, 2014 (encl. 24).

On Jan. 24, 2014, according to the command log, Sgt. [REDACTED] assumed his position at the front desk at 3:15 p.m. Also according to the command log, Mr. [REDACTED] was brought into the stationhouse at about 2:40 p.m., and at an unspecified time, Mr. [REDACTED]'s mother, [REDACTED] entered the stationhouse.

Sgt. [REDACTED] did not recall interacting with Mr. [REDACTED] and thought he would not have because juveniles, after being brought into the stationhouse, are typically taken upstairs to the juvenile holding area. At the CCRB, Sgt. [REDACTED] was told that Mr. [REDACTED] was arrested by PO [REDACTED] and that Sgt. [REDACTED] verified the arrest. Sgt. [REDACTED] knew who the officers were but said he knew nothing of Mr. [REDACTED]'s arrest.

Sgt. [REDACTED] was informed that [REDACTED] alleged that she entered the stationhouse some time after Mr. [REDACTED] was brought in and that Sgt. [REDACTED] may have been at the desk at that time. Sgt. [REDACTED] said he did not know who [REDACTED] was. He thought he never interacted with her and never witnessed her interacting with PO [REDACTED]. Sgt. [REDACTED] did not witness PO [REDACTED] speaking with any civilians at the stationhouse on this day. Sgt. [REDACTED] was informed that a male officer wearing a white uniform shirt may have talked with [REDACTED]. Sgt. [REDACTED] did not witness that and did not know who the officer could have been.

Witness Officer: LIEUTENANT [REDACTED]

- Lt. [REDACTED] a white man, 6'1" tall, 230 pounds, with blonde hair and blue eyes, was 46 years old at the time of the incident.
- On Jan. 24, 2014, Lt. [REDACTED] was assigned to conditions in the 101st Precinct. He was dressed in uniform. He worked from 5 a.m. until 1:45 p.m. He partnered with PO Telisha Matthews, and they worked in a marked vehicle, number 4631.

Memo Book

He noted that his tour ended at 1:45 p.m. (encl. 25).

CCRB Statement

Lt. [REDACTED] was interviewed at the CCRB on July 2, 2014 (encl. 26).

On Jan. 24, 2014, Lt. [REDACTED] finished working at 1:45 p.m., which he documented in his memo book. He did not work overtime. Because he had finished his tour before the incident, he stated that he was not involved in it. He was informed of the basic facts of the case, including that [REDACTED] allegedly arrived at the stationhouse after her son was arrested and that a white male officer over 50 years old wearing a white uniform shirt stepped in while PO [REDACTED] and [REDACTED] were arguing. Lt. [REDACTED] denied that he was the officer who stepped in during the argument.

Lt. [REDACTED] viewed the roll call for the date of the incident, which indicated that PO [REDACTED] was working the same tour as him, but the roll call did not indicate the exact times that Lt.

[REDACTED] worked. Lt. [REDACTED] stated that the roll call was just not adjusted to indicate that his tour ended at 1:45 p.m. The roll call further indicated that two other white male officers of the rank of lieutenant or above were working the same tour as PO [REDACTED]. Lt. [REDACTED] did not know if one of them had spoken with [REDACTED]

NYPD Documents

911 Communications CD and Event Reports

The 911 Communications CD came with three recordings.

First Recording (attached to IA 90)

On Jan. 24, 2014, at 1:23 p.m., [REDACTED] called 911. He said there was a man downstairs in his building who had a gun in his jacket. The operator asked Mr. [REDACTED] for his address and a description of the man with the gun. Mr. [REDACTED] provided his address as [REDACTED]. He described the man with the gun as a light-skinned black man wearing a black and white Northface jacket and a black mask on his face. Mr. [REDACTED] said he did not know the man but that he had seen him around before, across from [REDACTED]. The call ended.

Second Recording (attached to IA 91)

At 2:11 p.m., Mr. [REDACTED] called 911 again. He told the operator that he had previously called 911 and reported a man with a gun. Mr. [REDACTED] said he saw the man again and he was now headed inside of [REDACTED]. Mr. [REDACTED] said the man was a light-skinned black male wearing a black jacket and gray pants and that he had a black mask on his face. The call ended.

Third Recording (attached to IA 92)

At 1:25 p.m., the dispatcher reported a male with a firearm at [REDACTED]. (NYCGovMap indicates that [REDACTED] is also [REDACTED]). Numerous indistinguishable officers from the 101st Precinct indicated they would respond. The only ones that could be heard clearly were sector E and anti-crime. Unidentified officers asked for a more detailed description of the suspect, and the dispatcher stated the perpetrator was a black male wearing a black and white Northface jacket and that he had placed a gun in his jacket. A 101st Precinct “portable unit” said they were with a security guard in the lobby of [REDACTED]. Numerous officers then stated they were responding to various locations and there was confusion about where the incident was, at [REDACTED] or [REDACTED].

At 1:32 p.m., the anti-crime unit stated they were doing a canvass at [REDACTED]. At 1:48 p.m., the anti-crime unit reported that they had conducted verticals at [REDACTED] and at [REDACTED], and the results were negative.

At 2:12 p.m., the dispatcher reported that the same complainant had called 911 again and reported seeing the man with the gun again, who was now headed inside of [REDACTED]. The anti-crime unit again said they were responding, as did Sector A, and numerous other indistinguishable units.

At 2:14 p.m., the dispatcher called Mr. [REDACTED]. The dispatcher asked Mr. [REDACTED] for another description of the suspect and where he was headed. Mr. [REDACTED] said the suspect was alone and

headed inside of [REDACTED], and he described him as a [REDACTED]-year-old, light-skinned black male wearing a black mask, a black hoodie, and a gray and black jacket. The call ended.

The dispatcher then broadcasted that the suspect was a black male, [REDACTED] years old or younger, wearing a black mask and a black jacket.

The anti-crime unit and Sector A said they were doing a vertical at [REDACTED]. An unidentified male sergeant asked the dispatcher to broadcast that no more units were needed. Sector A asked for the location of the complainant. The dispatcher told them that the complainant was at [REDACTED] on the second floor.

At 2:20 p.m., the patrol supervisor and Sector A said they were with the complainant. Then, the anti-crime unit said they had stopped a possible suspect and asked the patrol supervisor if the complainant's windows faced the courtyard. A male officer (perhaps the patrol supervisor's partner) said the complainant saw the suspect from his building lobby, which faced the courtyard.

An unidentified officer said, "Where are you guys?" and the anti-crime unit said the fourth floor. A unit who identified as "5406" said they were doing a vertical at [REDACTED]. The anti-crime unit asked the patrol supervisor to stay with the complainant because they were headed over there soon. At 2:38 p.m., the anti-crime sergeant said he had placed one person under arrest and said he would transport him. The dispatcher provided him with the time.

The Event Chronology Reports additionally indicated that officers assigned to vehicle number 5568 responded to the scene. Otherwise, the reports were entirely consistent with the 911 Communications CD (encl. 28).

101st Precinct Command Log

Mr. [REDACTED] was logged in at 2:30 p.m. His physical and mental conditions were listed as apparently normal. Sgt. [REDACTED] verified the arrest. Sgt. [REDACTED] took over as the desk sergeant at 3:10 p.m. At an unspecified time, Sgt. [REDACTED] noted that Mr. [REDACTED]'s mother, [REDACTED] [REDACTED] entered the stationhouse. At 7:30 p.m., Mr. [REDACTED] was transported to Horizons (encl. 29).

101st Precinct Roll Call and Daily Vehicle Assignment Sheet (DVAS)

According to the tour 2 roll call for Jan. 24, 2014, Sgt. [REDACTED] was the anti-crime supervisor and the team members were PO [REDACTED] PO Solis, PO [REDACTED] and PO [REDACTED]. The roll call does not specify who partnered with whom or which vehicles the officers worked in. The DVAS lists three unmarked vehicles: 15113 (assigned to Shop), 1674 (assigned to Summons), and 6391 (assigned to SH). Neither the roll call nor the DVAS yields vehicle numbers 5568 or 5406.

The following officers with ranks of lieutenant or above were working: DI William Wynne, a 45-year-old white man, Lt. Thomas Jacobs, a 38-year-old white man, and Lt. [REDACTED] [REDACTED] a 47-year-old white man.

Sgt. Traci Jamesonbarre, a black woman, was the patrol supervisor, and PO Thomas Dugan, a white man, was her operator. PO Maura Moore, a black man, and PO Karena Nettles, a black woman, were assigned to patrol sectors A and B (encl. 30).

Arrest for Incident and Disposition

- Mr. [REDACTED]'s conviction history was sealed because he was under [REDACTED] years old (encl. 32A).

Status of Civil Proceedings

- The investigator requested the Notice of Claim on July 27, 2014. As of this report, it has not been returned. The results will be added to the case file upon receipt (encl. 31).

Civilians' Criminal Histories

- As of July 28, 2014, the Office of Court Administration records reveal no criminal

convictions for Mr. [REDACTED], Ms. [REDACTED] or [REDACTED] (encl. 32A-C).

- As of July 28, 2014, the Office of Court Administration records reveal that [REDACTED] [REDACTED] [REDACTED] has pleaded guilty to criminal possession of marijuana in the fourth degree and possession of gambling records in the second degree (encl. 32D-S).

Civilians' CCRB Histories

- This is the first CCRB complaint filed by [REDACTED] [REDACTED] [REDACTED] Ms. [REDACTED] or Mr. [REDACTED] (encl. 3).

Subject Officers' CCRB Histories

- Sgt. [REDACTED] has been a member of the service for 12 years. PO Solis has been a member of the service for seven years. There are no substantiated allegations against them (encl. 2C-E).
- PO [REDACTED] has been a member of the service for seven years and there were two substantiated CCRB allegations against him for one case, number 200816433. The CCRB recommended a command discipline for substantiated allegations of a retaliatory summons and a stop. The NYPD gave him instructions (encl. 2A-B).

Conclusion

Allegations Not Pleaded

A stop of Mr. [REDACTED] was not pleaded because he was placed under arrest as he was the suspect of menacing and possession of a weapon. The CCRB does not investigate arrest disputes. Moreover, Mr. [REDACTED] was not a witness to any of the case's allegations.

A stop of [REDACTED] [REDACTED] was not pleaded because neither she nor the officers claimed that she was detained or told she could not leave.

An allegation that an officer closed the stairwell door on [REDACTED] [REDACTED] hand was not pleaded. Though she alleged it in her IAB statement, she clarified at the CCRB that it did not happen.

An allegation that Sgt. [REDACTED] refused to provide his name was not pleaded because [REDACTED] [REDACTED] said she asked him for his name and he answered her, though she forgot his answer. Therefore, this was not an allegation of police misconduct.

An allegation that PO [REDACTED] refused to provide his name to [REDACTED] [REDACTED] was not pleaded because, although she said he introduced himself with a fake name, she did not allege that she asked him for his name.

Identification of Subject Officers

[REDACTED] [REDACTED] and [REDACTED] [REDACTED] each identified PO [REDACTED] because they said he provided his name at Mr. [REDACTED]'s court hearing. [REDACTED] [REDACTED] said he was one of the officers to have entered her home, retrieved the BB guns from her closet, threatened to arrest her because the guns did not have orange rings on them, and provided her with a fake name after she asked him for his name. [REDACTED] [REDACTED] alleged that at the stationhouse PO [REDACTED] cursed at her and threatened to arrest her. Therefore, each of those allegations, except for an entry and search, was pleaded against PO [REDACTED].

The entry and search was pleaded was pleaded against Sgt. [REDACTED] because he admitted to participating in the stop, being present for when [REDACTED] [REDACTED] provided consent to enter the home, and entering the home and watching an officer under his command, PO [REDACTED] grab the guns. Therefore, the investigation determined, Sgt. [REDACTED] supervised the entry and search of the home, and the allegation was pleaded against him accordingly.

[REDACTED] [REDACTED] and Ms. [REDACTED] did not identify all of the officers who entered the apartment, and they were not entirely consistent about which officer took which action. In her interview statement, [REDACTED] [REDACTED] said that, in addition to PO [REDACTED] a uniformed officer with spiky hair entered her home and searched through a plastic bag. [REDACTED] [REDACTED] further stated that a 5-foot-7

white male officer in his 40s who looked Italian and was wearing plainclothes stood outside the apartment doorway, provided his name, and threatened to arrest her and Ms. [REDACTED] after Ms. [REDACTED] told the officers they needed a search warrant. In her CCRB phone statement, [REDACTED] switched these officers' roles, but she did not mention that the officer who stood outside the doorway made a threat of arrest. In her IAB Statement, [REDACTED] provided no descriptions of which officers entered the home, searched, or made threats of arrest.

Ms. [REDACTED] said that five officers entered the home, that one threatened to arrest her and [REDACTED] after she told the officers they needed a search warrant, and that only one officer performed a search. Ms. [REDACTED] could only describe one officer with complete detail: the one who made the threat of arrest. (Because it was undisputed that PO [REDACTED] was the one who recovered the guns, Ms. [REDACTED] limited physical description of him was immaterial.) Ms. [REDACTED] said the officer who threatened to arrest her and [REDACTED] was a 40-year-old white man dressed in plainclothes who looked Italian.

PO [REDACTED] and Sgt. [REDACTED] said they were the only officers who entered the home. Sgt. [REDACTED] though he denied threatening to arrest anyone, said he provided his name to [REDACTED]. Sgt. [REDACTED] at the time of the incident, was a 34-year-old white man with brown hair that is graying, 5 foot 11, 225 pounds, and was wearing plainclothes.

Because Ms. [REDACTED] description of the officer who made the threat of arrest following her bringing up the warrant was consistent with [REDACTED] description of the same officer, because Sgt. [REDACTED] admitted to standing by the doorway, and because Sgt. [REDACTED] said he provided his name to [REDACTED] the investigation determined through physical descriptions and actions taken that he was the officer to have allegedly threatened to arrest [REDACTED] and Ms. [REDACTED] following the search warrant comment.

Though [REDACTED] was inconsistent about who the officer was who searched through the plastic bag after PO [REDACTED] removed the guns from there, in her phone statement, she said it was the same officer whom the investigation determined was Sgt. [REDACTED]. Therefore, because the description fit Sgt. [REDACTED] because he admitted to entering the home with only one other officer, and because [REDACTED] said it was Sgt. [REDACTED] the investigation determined that he was the alleged officer to have searched through the plastic bag and pull out the medical records. However, because a search-of-home allegation was already pleaded against him, the search through the plastic bag with medical records was addressed with the former search allegation.

[REDACTED] alleged that a third officer in uniform with spiky hair entered her home. Ms. [REDACTED] alleged that three officers in addition to PO [REDACTED] and Sgt. [REDACTED] entered the home. [REDACTED] and Ms. [REDACTED] did not learn the names or shield numbers of these additional officers, and PO [REDACTED] and Sgt. [REDACTED] said no other officers entered the home. The other interviewed officers denied entering the home, and the Event Reports did not indicate which officers would have entered the home. Because the investigation determined that Sgt. [REDACTED] supervised the entry and search of the home, the allegation of whether or not additional officers would have been justified in entering the home was addressed with the search-of-home allegation that was already pleaded against Sgt. [REDACTED].

Lastly, because PO Solis admitted to responding to the incident location but did not make a memo book entry about it, an allegation for no memo book entries was pleaded against him.

Investigative Findings and Recommendations

Allegation A – Abuse of Authority: Sgt. [REDACTED] entered and searched [REDACTED] in Queens.

PO [REDACTED] and Sgt. [REDACTED] did not dispute that they entered the home and that PO [REDACTED] recovered the BB guns.

[REDACTED] and Ms. [REDACTED] were inconsistent about how many other officers entered, but

they alleged that it was between one and three more, who were not identified by the investigation.

Ms. [REDACTED] was not in a position to say whether the officers were given permission to enter, as she was putting on more clothes at the time.

[REDACTED] the undisputed head of the household, said she provided the officers with permission to enter, as she thought showing them her BB guns would exonerate her grandson. Furthermore, she allowed PO [REDACTED] to pull the guns out of a plastic bag inside her closet. The only hesitancy she put up with regard to the entry was to first allow Ms. [REDACTED] to put on more clothes, which happened.

[REDACTED] in her telephone statement, said that after PO [REDACTED] removed the BB guns from a plastic bag, Sgt. [REDACTED] reached into the same plastic bag and pulled out some of her medical records and tossed them onto a dresser. In her interview statement, she said that Sgt. [REDACTED] did not move past the doorway and did not search. In her IAB statement, she did not provide details about the search of her home.

Ms. [REDACTED] said that she saw only PO [REDACTED] perform a search inside the home.

PO [REDACTED] stated that he entered the home because [REDACTED] gave him permission to enter and because he wanted to gather crime evidence – the guns. PO [REDACTED] said he was the only officer to perform a search and that Sgt. [REDACTED] did not reach inside the same plastic bag. Sgt. [REDACTED] corroborated PO [REDACTED].

Therefore, the investigation determined that the officers were granted permission to enter the home by [REDACTED] and that PO [REDACTED] was given permission to perform a limited search to recover the guns. Though the investigation could not identify the other officers who may have entered, the investigation determined that if they had entered, they would have been recipients of the same information as PO [REDACTED] and Sgt. [REDACTED] which was that they were allowed to enter.

Furthermore, even though the investigation could not determine whether Sgt. [REDACTED] reached inside the plastic bag also, the investigation determined that if he had, he would have been a recipient of the same information as PO [REDACTED] which was that he was granted permission to perform a limited search of the home.

The police may lawfully conduct a warrantless entry and search when they have obtained the voluntary consent of a party who possesses the requisite degree of authority and control over the premises or personal property in question. People v. Cosme, 48 N.Y.2d 286 (1979). (encl. 1A-D).

[REDACTED] stated that she was the head of the household, that she permitted the officers to enter her home without objection, and that she permitted the officers to search a plastic bag inside of her closet. Because the investigation determined that [REDACTED] provided voluntary consent for officers to enter and search her home, it is recommended that **Allegation A be exonerated**.

Allegation B – Abuse of Authority: At [REDACTED], in Queens, Sgt. [REDACTED]
[REDACTED] threatened to arrest [REDACTED] and [REDACTED]

Allegation C – Abuse of Authority: At [REDACTED], in Queens, PO [REDACTED]
[REDACTED] threatened to arrest [REDACTED]

Ms. [REDACTED] said that after the officers entered the home, she told them they needed a search warrant to have entered. She alleged Sgt. [REDACTED] responded that if the officers had to return with a search warrant, he would arrest her and [REDACTED] Ms. [REDACTED] was uncooperative with being interviewed in person.

[REDACTED] in her interview statement, corroborated that Ms. [REDACTED] told the officers they needed a search warrant and that Sgt. [REDACTED] responded that if the officers had to return with a search warrant, then they would arrest everyone inside the home.

Then, [REDACTED] stated PO [REDACTED] recovered the guns from inside a plastic bag that was in her closet. She alleged that when he pulled the guns out of the bag, he looked at them and told her that he could arrest her because the guns did not have orange rings around the fronts of the

barrels. Ms. [REDACTED] did not hear the comment.

[REDACTED] additionally stated that before the officers even entered the home, she had admitted to them that she had imitation guns inside her home. At the CCRB, she stated that she did not have a license for the guns, and she described the guns as black and real-looking.

Before the officers entered the home, PO [REDACTED] and Sgt. [REDACTED] each heard [REDACTED] state that she had BB guns inside.

PO [REDACTED] denied hearing a search warrant discussion and denied hearing Sgt. [REDACTED] threaten to arrest the home occupants. Sgt. [REDACTED] did not recall anyone else being inside the home and denied threatening to arrest anyone inside the home.

PO [REDACTED] denied threatening to arrest [REDACTED] after he discovered the guns, and Sgt. [REDACTED] did not hear him make the comment either.

NY Administrative Code Law, section 10-131(2g), states that it is unlawful to possess any imitation firearm where the exterior surface is not painted white, bright red, bright yellow, or bright orange (encl. 1F). NY Administrative Code Law, section 10-131(7b), states that it is unlawful to possess any air pistol or air rifle without an annually renewed license (encl. 1F).

Even though the investigation was unable to determine whether Sgt. [REDACTED] or PO [REDACTED] at any point, had threatened to arrest the home occupants, the investigation was able to determine that if either of them had done so, they would have been justified. [REDACTED] admitted to illegally being in possession of imitation guns that were in her home. Therefore, if the officers had chosen to leave and seek a search warrant or to place [REDACTED] under arrest while they were there, under New York Law, they could have done so.

Because the investigation determined that [REDACTED] unlawfully possessed imitation guns, Sgt. [REDACTED] and PO [REDACTED] would have been justified in arresting the home occupants. Therefore it is recommended that **Allegations B and C be exonerated**.

Allegation D – Abuse of Authority: At [REDACTED], in Queens, PO [REDACTED] refused to provide his name and/or shield number to [REDACTED]

[REDACTED] alleged that while PO [REDACTED] and Sgt. [REDACTED] were inside her home, she called [REDACTED]. While on the phone with [REDACTED] [REDACTED] said she asked PO [REDACTED] and Sgt. [REDACTED] for their names. Sgt. [REDACTED] provided his name but PO [REDACTED] mumbled his name and [REDACTED] thought he said his name was "Selly." In her IAB statement, she alleged that PO [REDACTED] said his name was something that sounded like "Hollis" or a "woman's name." It is of note that [REDACTED] reported this information to IAB on the same date as the incident, which meant that was the name she most likely heard.

After PO [REDACTED] mumbled, [REDACTED] said she told PO [REDACTED] she did not understand him and asked him to provide his name to her daughter over the phone. PO [REDACTED] refused to speak on the phone and did not provide his name again. At court, PO [REDACTED] took the stand and said his name was "[REDACTED]" Based on that, [REDACTED] thought that PO [REDACTED] provided her with a fake name.

[REDACTED] provided a different account. She said that when her mother called her, she asked to speak with one of the officers. An officer came to the phone and introduced himself as either "Det. Schwartz" or "Det. Snider." She later learned that this officer was PO [REDACTED] because she said she spoke to him at the stationhouse and he identified himself as the arresting officer and said his name was either, "Det. Schrager," "Det. Schwartz," or "Det. Snider." Then, she saw the officer again at court and he identified himself correctly as PO [REDACTED].

Ms. [REDACTED] also provided a different account. She said she was the one who called [REDACTED] and that she then handed the phone to PO [REDACTED]. She could not recall PO [REDACTED] providing his name while on the phone. Then after the call, [REDACTED] asked PO [REDACTED] for his name. PO [REDACTED] responded, but [REDACTED] could not recall what he said.

Based on the civilian statements alone, the investigation could not establish at what point PO

[REDACTED] provided his name. However, given the vast name discrepancies the civilians provided, the fact that more than one officer was inside the home, and the fact that [REDACTED] [REDACTED] provided a name that sounded like [REDACTED] ("Schroger"), it is likely that [REDACTED] [REDACTED] spoke to a different officer on the phone than she [REDACTED]. It is also very likely that PO [REDACTED] said his name accurately, but [REDACTED] [REDACTED] misheard him.

PO [REDACTED] said he could not recall being asked for his name inside the home and could not recall speaking on the phone. He denied providing anyone with a fake name and denied speaking with [REDACTED] [REDACTED] at the stationhouse.

Sgt. [REDACTED] stated that at an unrecalled exact point while inside the home, [REDACTED] [REDACTED] asked him for his name and he provided it. He could not recall, though, if PO [REDACTED] was asked for his name. He did not hear PO [REDACTED] provide a fake name.

Based on the above, the investigation determined that while inside the home, [REDACTED] [REDACTED] asked PO [REDACTED] and Sgt. [REDACTED] for their names and that both officers provided their names. Furthermore, given that shortly after the incident [REDACTED] [REDACTED] reported hearing PO [REDACTED] name as "Hollis," it is credible to suggest that PO [REDACTED] accurately provided his name.

Because the preponderance of the evidence indicated that PO [REDACTED] accurately identified himself inside the home when he was asked for his name, the investigation determined that PO [REDACTED] did not refuse to provide his name. Therefore, it is recommended that **Allegation D** be unfounded.

Allegation E – Discourtesy: At the 101st Precinct stationhouse, PO [REDACTED] spoke rudely to [REDACTED] [REDACTED]

Allegation F – Abuse of Authority: At the 101st Precinct stationhouse, PO [REDACTED] threatened to arrest [REDACTED] [REDACTED]

[REDACTED] [REDACTED] stated that her purpose of going to the stationhouse was to find out if her son was all right. [REDACTED] [REDACTED] over the phone, was hysterical, and [REDACTED] [REDACTED] friend told her that her son may have been pushed down the stairs. These factors, [REDACTED] [REDACTED] admitted, made her feel upset. Once at the stationhouse, she said she spoke with PO [REDACTED] who identified himself as the arresting officer (and whose name she later learned at court). [REDACTED] [REDACTED] alleged that PO [REDACTED] agreed to talk with her in the stationhouse vestibule. There, she expressed her frustration and argued with him about seeing her son, and PO [REDACTED] eventually told her, "You're gonna have to get the fuck outta here or we're gonna arrest you for discon." In her phone statement, [REDACTED] [REDACTED] said PO [REDACTED] words were, "Get the fuck out before I arrest you for disturbing the precinct."

[REDACTED] [REDACTED] in her phone statement, said a 70-year-old officer wearing a white uniform shirt overheard the comment, but in her interview statement, she said he did not.

Based on her conflicting allegation statements, her officer identifications, that she later learned PO [REDACTED] name at court, that she refused to provide an in-person statement, and that she provided very different names for how PO [REDACTED] identified himself (Schwartz, Schneider, Schroger), the investigation determined that [REDACTED] [REDACTED] statement was not particularly credible.

The investigation, regardless, was unable to establish whether she spoke with PO [REDACTED] at the stationhouse. Furthermore, the potential witness – the officer in the white uniform shirt – was not identified either.

The desk supervisor, Sgt. [REDACTED] said he had no knowledge of the incident and did not know who the officer in the white uniform shirt would have been. Lt. [REDACTED] denied that he was the witness officer, and he could not identify the witness officer either.

[REDACTED] [REDACTED] and Ms. [REDACTED] [REDACTED] said they spoke with [REDACTED] [REDACTED] as she came out of the stationhouse. Ms. [REDACTED] [REDACTED] could not recall what [REDACTED] [REDACTED] said except that she said she had been "kicked out" of the stationhouse. [REDACTED] [REDACTED] said that [REDACTED] [REDACTED] told her that she had interacted with the arresting officer, and he told her to get the "hell" out of the stationhouse.

Though Sgt. [REDACTED] entered [REDACTED] [REDACTED] name into the command log, thereby confirming she entered the stationhouse, he could not recall seeing her there.

PO [REDACTED] could not recall seeing any of Mr. [REDACTED]'s family members enter the stationhouse, and PO Solis said he stayed with Mr. [REDACTED] upstairs.

PO [REDACTED] said, to his knowledge, only [REDACTED] [REDACTED] entered the stationhouse, and she said [REDACTED] was in front of the stationhouse. PO [REDACTED] observed [REDACTED] [REDACTED] in front of the stationhouse yelling and [REDACTED] at no one in particular. PO [REDACTED] denied ever speaking with her inside the stationhouse and denied [REDACTED] at her or threatening to arrest her.

The investigation established that [REDACTED] [REDACTED] entered the stationhouse because the command log said she did. However, the entry did not have a corresponding time, [REDACTED] [REDACTED] and Ms.

[REDACTED] did not go in with her, and there were no identified officers to establish that she spoke with PO [REDACTED]. Thus the investigation could not determine with whom she spoke inside stationhouse or what she was told.

Because the investigation could not establish whether [REDACTED] [REDACTED] spoke to PO [REDACTED] inside the stationhouse, the investigation could not determine if PO [REDACTED] cursed at her and threatened to arrest her. Therefore it is recommended that **Allegations E and F be unsubstantiated**.

Allegation G – Other Misconduct: PO Lukasz Solis failed to prepare a memo book entry as required.

PO Solis heard the radio broadcast and responded to the incident location. Once there, he said he stayed with the victim. He made no entries in his memo book about these tasks.

NYPD Patrol Guide Section 212-08 states that all officers below the rank of captain are required to maintain an activity log/memo book listing all assignments, duties, and tasks performed (encl. 1K-L).

Because PO Solis made no entries in his memo book, the tasks he claimed to have performed could not be verified contemporaneously, as was required under Patrol Guide Section 212-08. Therefore, it is recommended that PO Solis be cited for **other misconduct for Allegation G**.

Team: 5

Investigator: _____ Daniel Casados _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date